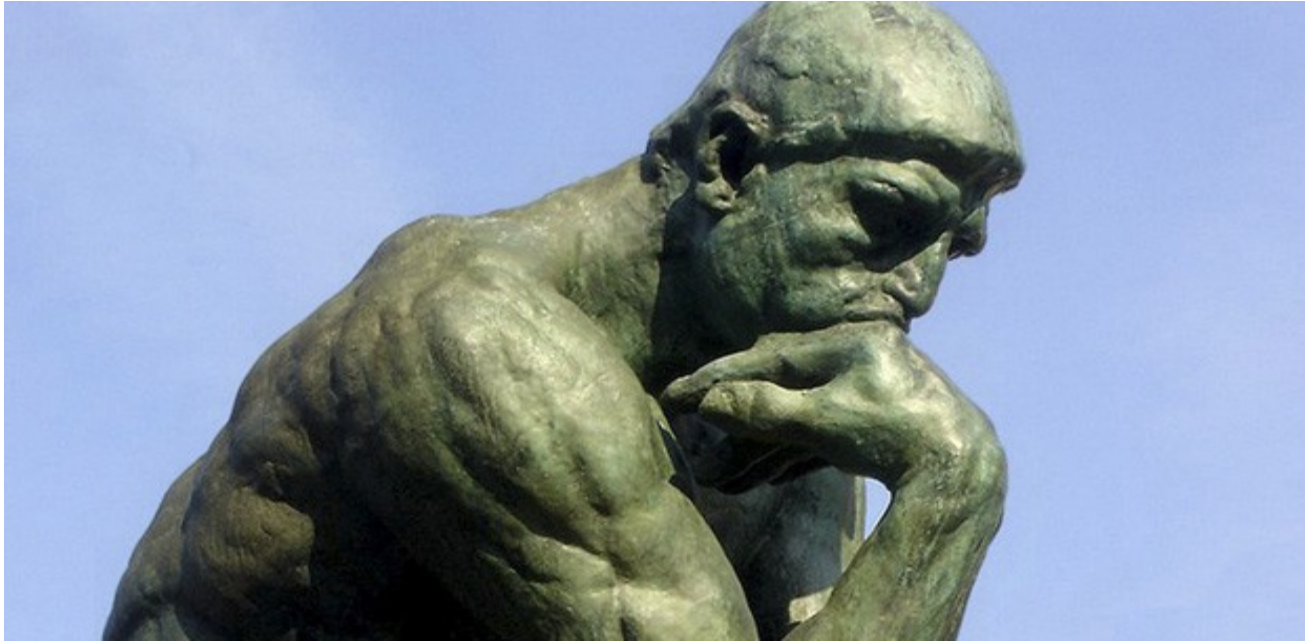


Thinkers Who Challenged The State

by DAVID GORDON | MISES.ORG | DECEMBER 14, 2014

Even if people agree to establish a state, it cannot acquire new rights individuals don't have



I'm glad to see so many people here who are open-minded to the notion of society without the state.

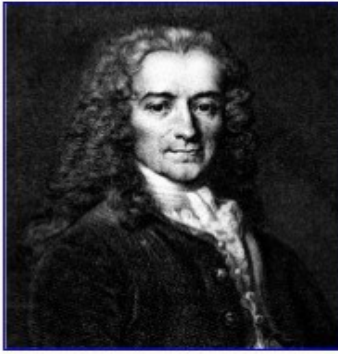
Unfortunately, some people aren't like you. These people will read about how bad the government is and may come to the conclusion that the government should be limited. But they reject out of hand the idea that we could do without the state altogether. They put one in mind of the man who read so much about how bad smoking is for your health that he gave up reading.

In a short talk, I can't offer a comprehensive history of thought about society without the state. Instead, I will concentrate on a few highlights. I'd like to begin with what seems to me a curious paradox in the history of political thought. If you ask people today about society without the state, they will often respond, "it's a nice idea, but it just wouldn't work. It would be great if we could rely on peaceful cooperation to solve our problems, but it is unrealistic to think this is possible. We can't get along without the state."

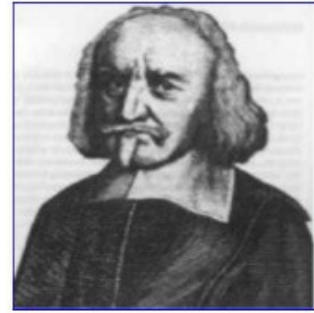
The paradox that I mentioned is this: In ancient political thought, we sometimes find the opposite of this reaction: anarchism could work, but it wouldn't be a good idea. Book II of Plato's Republic, for example, describes a small society of people who produce goods and exchange what they produce with others. But this society is described in unflattering terms as the "City of Pigs." The main problem with it is that people might get too greedy. We need a special guardian class to rein people in. With their superior reason, the guardians will prevent people from being dominated by their undue desire for wealth.

Aristotle and Plato often don't agree, but in Book 1 of the Politics, Aristotle also describes a society that functions without a state. He talks about families who unite into a community for production and exchange. Like Plato, Aristotle doesn't want to stop there. But unlike Plato, who says that we need the state to prevent people from getting out of hand, Aristotle has a different reason for bringing in the

Voltaire - 1650 – 1722

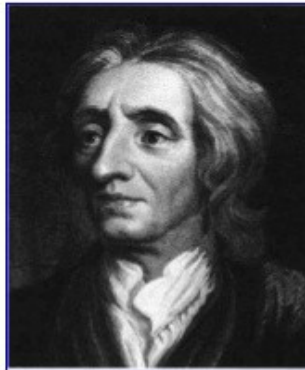
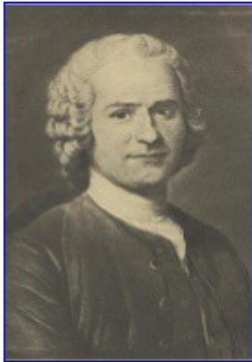


Thomas Hobbes - 1588- 1679



Enlightenment Thinkers

Rousseau - 1712 – 1778



John Locke - 1632–1704

**Montesquieu
1689–1755**



state. He says that the highest life for most people is to engage in public deliberation about the affairs of the city. The association of families engaged in production must be capped by a political regime, in which public deliberation can take place. He has a famous sentence about this: “man is a political animal.” Actually political deliberation isn’t the highest life absolutely. The highest life is the life of the philosopher, but this is available only to a few. For most people, political deliberation in the city is essential to the good life, and a community based on economic interest won’t provide this.

There were thinkers in antiquity who, unlike Plato and Aristotle, rejected the state. For example, the third century Stoic philosopher, Zeno of Citium, wrote an anti-statist book that is usually referred to as Zeno’s Republic. Unfortunately, the book hasn’t survived, and we know about what was in it only through quotations from others. But, once more, what I want to stress is that for Plato and Aristotle, anarchism might work, but it wouldn’t be a good idea.

I want to jump from Plato and Aristotle to a much later writer. I’m omitting all discussion of the Middle Ages and Renaissance: as I said before, this talk is not intended as a historical survey. The thinker I want to discuss is the great French classical liberal Frédéric Bastiat (1801–1850), who wrote a pamphlet, *The Law*, that was published in June, 1850, the year of his death. By the way, this book made a great impression on me when I read it in junior high more than fifty years ago, and it continues to impress me. Bastiat challenged the fundamental assumption behind the rejection of anarchism in ancient political thought. This is the notion that we need to have a class above the mass of the people, who need to be molded by those of superior wisdom. This is clear in Plato, with his class of guardians; but even in Aristotle, the citizens who deliberate on the good of the city rule over those in the city who aren’t citizens. Bastiat asked, why should we assume this? Where did the supposed superior class get its “wisdom” and what gives this class the right to rule over the rest of us?

Bastiat raised a point that could be taken in an anarchist direction, although he didn’t apply it that way himself: If we start with the premise that each person has the rights to life, liberty, and property, then any power that the state has can come only if people agree to give it this power. The crucial point Bastiat makes is that even if people agree to establish a state, it cannot acquire new rights that individuals don’t have. The state couldn’t acquire additional rights. The anarchist implication of this

point is that if individuals don't have the right to monopolize protective services in a given territory, neither does the state. The road to anarchism is clear.

Bastiat's argument destroys the intellectual basis of the state. We don't need to have a superior group of the wise rule over us, and such a group has no right to do so. But if we accept this argument, we then have to face the question: why do states exist?

I want to mention two thinkers who help us answer this question, Franz Oppenheimer (1863–1943) and his disciple Albert Jay Nock (1870–1945). Oppenheimer was a German sociologist who went into exile after Hitler came to power in 1933. He taught in the United States and died in Los Angeles, not very far away from where we are now. He wrote *The State*, which was published in 1908 and translated into English in 1915. Nock wrote *Our Enemy the State* in 1935.

Oppenheimer and Nock said that there were two ways to acquire wealth; one was peaceful production and trade. This they called the economic means. Unfortunately, there is another way as well to get wealth. This is to seize wealth from those who have produced it. They called this the political means. They define the state as the organization of the political means. On this view, the state is a predatory organization, a gang of robbers.

This is a very interesting theory, but how do we know it's true? History isn't an a priori discipline. We can't deduce just by using logic that certain particular events had to occur. The only way to show that Oppenheimer and Nock were on the right track is through historical investigation.

This is just what Oppenheimer and Nock did: they provided historical examples to support their theory of the state. Oppenheimer made a careful study of anthropological literature. Every state he was able to find described in this literature began as a predatory group. He went through the ancient world as well, and carried his study through the Middle Ages down to his own time. The state always was predatory.

Nock in his book summarized Oppenheimer's theory and applied it to American history. The American state, like all others, was predatory. Nock strongly supported the view of Charles A. Beard, in his famous book *An Economic Interpretation of the Constitution of the United States* (1913). According to Beard, the Constitution was written to advance the economic interests of a particular group of wealthy people. The American state was a predatory gang, just like all other states.

I want to make one point about the logical structure of Oppenheimer and Nock's argument. When I discussed this argument in one of my online courses for the Mises Academy, a student raised an objection. He asked, haven't there been historical examples of stateless societies? He was right: there certainly have been, but this doesn't refute Oppenheimer and Nock. Their thesis is that every state is predatory. To refute this, you need to come up with a state that wasn't predatory. It isn't part of their thesis that every society has a state. Examples of societies without a state would be welcome news to Oppenheimer and Nock, because this would give us some reason to think that we could get along without a state as well.

Bastiat challenged the ancient teaching that people needed to be ruled by a superior elite. Oppenheimer and Nock showed that the state is a gang of robbers. The views of these thinkers are very helpful in combating what Nietzsche calls "that coldest of all cold monsters, the state."

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